HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital: the 5th December, 2006
First Bail Application No.1152 of 2006
Order on the Bail application of accused.

CRIMINAL SIDE

1. Farooq, S/o Sri Hashim,
2. Sazeed, S/o Sri Sakin,

Both R/o Village Mundlana, Police Station Manglaur, District-Haridwar.

.....Applicant (in Jail).

Versus

State of Uttaranchal

.....Opposite Party

In Case crime No. 162/2006
U/s 376/148/452/323/504/506/427 I.P.C.
District –Haridwar.

Hon'ble Rajesh Tandon, J.

Heard Sri S.P.C. Panwar, Sr. Advocate, assisted by Sri H.C. Pathak, counsel for the applicants and A.G.A. for the State.

According to the FIR, Gufran has committed rape. The name of the applicants have been shown to have participated in the crime by stopping the complainant from going to the Police Station in this connection. The applicants have pointed out that c0-accused-Gufran has already been released on bail.

Gufran has been specifically named for committing offence under Section under Section 376 of the Indian Penal Code by the Session Judge, Haridwar. So far as the role of the applicants is concerned, FIR is silent about their involvement in the rape and the therefore, prima facie the applicants deserve to be released on bail.

In view or the aforesaid, it appears to be a fit case for bail. Let the applicant be released on bail on executing personal bond and furnishing two sureties each of the like amount to the satisfaction of the Magistrate concerned.

(Rajesh Tandon, J.)

Dated 05.12.2006
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